

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-3, 8-10, 15-17, and 22-42 are pending in this application. Claims 3, 24, 32, and 38 were objected to for informalities. Claims 1-3, 8-10, 15-17, and 22-42 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 4,760,606 to Lesnick et al. (herein "Lesnick") in view of U.S. patent 5,666,490 to Gillings et al. (herein "Gillings").

Addressing first the objection to claims 3, 24, 32, and 38, those claims are amended as suggested in the Office Action to address that objection.

Addressing now the rejection of claims 1-3, 8-10, 15-17, and 22-42 under 35 U.S.C. § 103(a) as unpatentable over Lesnick in view of Gillings, that rejection is traversed by the present response.

Initially, applicants note the claims are amended by the present response to clarify features recited therein. Independent claim 1 for example now recites "a scanner having a document feeder directly connected to the image information storing server, not to the network, with a cable". The other independent claims recite similar features. The claims as currently written are believed to clearly distinguish over the applied art.

In the claims as currently written image information can be input that includes a first sheet of format image information such as shown for example in Figure 3 in the present specification, and a second sheet of format information such as shown in Figure 8 in the present specification. In between those sheets is sheet document image information to be stored in a particular folder. As shown for example in Figure 3 in the present specification, a first sheet of the format image information may indicate a user name, and thereby the subsequent sheet document image information following that first sheet will be stored in an applicable file folder. At the end of the desired sheet document image information a sheet indicating an end of such, such as shown in Figure 8 in the present specification, is included.

With such claimed features, see also step S26 in Figure 27 of the specification, the writing of data into a prescribed data storing field can be completed after detecting the second sheet of format information indicating an end of a document to be stored in step S24.

Applicants respectfully submit the claimed features are neither taught nor suggested by the applied art.

As noted above, the claims clarify a direct connection of a scanner to an image information storing server, not to the network, with a cable. Thereby, the claims employ not only a network communication but also a cable communication (i.e., a two-way communication) to transmit image information. Specifically, scanned image information can be directly input to the server via the cable, whereas accessing and reading of files in the server from a client can be executed via the network.

Such a claimed structure is believed to clearly distinguish over the teachings in Lesnick as Lesnick does not disclose or suggest the claimed direct cable connection for example from a scanning device to a server. As a result, Lesnick cannot realize any type of two-way communication between such devices, in contrast to what is possible in the claimed invention.

Moreover, the document processors 206, 402 in Lesnick, which were apparently noted as corresponding to the image information input of the claims, are connected to other devices only via the LAN 302, but not via a cable.

The image information inputting device recited in the claims may, for example, be for private use for a server, for example for file storing efficiency. Lesnick does not disclose a structure that can realize such a benefit.

Moreover, one basis for the outstanding rejection cites Lesnick at column 4, lines 4-67 and column 11, lines 11-67 to disclose a “main data storage”. From those cited disclosures in Lesnick it appears the optical disk 210 is indicated as corresponding to the

claimed main data storage. However, such a feature in Lesnick does not correspond to the claimed features. That is, in Lesnick the optical disk 210 is not included in a server, and in fact Lesnick does not even appear to disclose any “server” such as claimed.

Moreover, applicants respectfully submit there does not appear to be any description of any main data storage or the optical disk 210 configured to store digitized document images classified into a file or folders in accordance with user information on the same page, in contrast to the position taken in the Office Action. Lesnick at most indicates that user information 616 is used to determine if accessing the system 200 is accepted or not based thereupon. However, in Lesnick such user information can only enable authentication, but does not appear to provide any classification, in contrast to the claimed features.

As noted above, Lesnick does not even appear to disclose the claimed server, which is apparently recognized in the Office Action, for example in the paragraph bridging pages 4 and 5. To address that deficiency in Lesnick the outstanding Office Action indicates that it would have been obvious to one of ordinary skill in the art “to allow users to access the information stored in the folders, because this would enable the users to interact with the main data storage, and retrieve image information pertaining to such individual uses according to the information included in the header pages”.<sup>1</sup>

That basis for the outstanding rejection is not at all understood and as to what benefit is actually being provided to the users. Further, it is unclear from where the Office Action obtains such a benefit as it does not appear to be disclosed in Lesnick or in any other cited reference. Absent such teachings the outstanding rejection appears to be a clear improper hindsight reconstruction of applicants’ claimed invention by suggesting a modification to Lesnick that is not disclosed or suggested in any prior art.

---

<sup>1</sup> Office Action of August 16, 2005, the sentence bridging pages 4 and 5.

For the reasons noted above applicants respectfully submit the basis for the outstanding rejection in the reliance on the teachings of Lesnick is improper.

Moreover, applicants further traverse the reliance on the teachings of Gillings in combination with the teachings in Lesnick.

As also recognized in the Office Action Lesnick does not disclose storing image information in various folders to be read by a plurality of users, and such that a format image information indicates a user name. To overcome such a deficiency the outstanding rejection appears to cite Gillings disclosing distributing documents based on work group names used to index documents.

However, in that respect applicants note such teachings in Gillings are completely unrelated to the claimed features and even to the teachings in Lesnick.

Gillings is not at all directed to determining from a header page to which folder subsequent documents are to be stored. At the noted column 6, line 46 through column 7, line 16, Gillings merely discloses the use of workflow queues that can store files that can be accessed by different users. Gillings does not at all teach or suggest how the information is put into the different workflow queues, and particularly does not disclose or suggest that any type of header page can be utilized to distribute information into different workflow queues. As such those noted teachings in Gillings have no relevance whatsoever to the teachings in Lesnick.

Moreover, the Office Action cites motivation to combine the teachings of Gillings to those in Lesnick by citing Gillings at column 1, line 52 to column 2, line 3. In that respect applicants note such teachings in Gillings merely appear to be directed to allowing multiple users to access a case report. Such teachings in Gillings, however, are completely irrelevant to the claimed features of utilizing a name on a header page to route subsequent document image information to an appropriate folder. Stated another way, the claimed features are not

all directed to indicating how many people can access a different folder, but are directed to how information is placed into the folder. Gillings is completely unrelated to such disclosures.


In such ways applicants respectfully submit Gillings does not overcome the recognized deficiencies in Lesnick.

In view of these foregoing comments, applicants respectfully submit the claims as currently written distinguish over Lesnick and further in view of Gillings.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

Gregory J. Maier  
Registration No. 25,599  
Surinder Sachar  
Registration No. 34,423  
Attorneys of Record

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

I:\ATTY\SN5\0557\05574696\05574696-AM1.DOC